

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AGENCE FRANCE PRESSE	:	
	:	
Plaintiff,	:	
	:	
-v-	:	10-CV-2730 (AJN)
	:	
DANIEL MOREL,	:	
	:	
Defendant,	:	<b><u>DECLARATION OF</u></b>
	:	<b><u>DANIEL MOREL</u></b>
	:	
-v-	:	
	:	
GETTY IMAGES (US), INC., et al.,	:	
	:	
Counterclaim Defendants.	:	
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I, Daniel Morel, hereby declare:

1. I am the Defendant and Counterclaim Plaintiff in the above-captioned action.
2. I submit this declaration in opposition to Barbara T. Hoffman's motion to fix the amount of and enforce a charging lien in her favor and against Mr. Morel pursuant to New York Judiciary Law § 475 (the "Motion").
3. I first met with Ms. Hoffman in February 2010 to discuss whether she could represent me in my dispute with AFP, Getty Images, and other newsmedia companies that had distributed, licensed, and sold my photographs depicting the aftermath of the 2010 Haiti earthquake without my permission.
4. Following that meeting, Ms. Hoffman sent me a letter, dated March 5, 2010, proposing that she represent me on a contingency basis. A true and correct copy of the March 5, 2010 letter is attached hereto as Exhibit A.

5. During March and April 2010, Ms. Hoffman sent letters to AFP, Getty Images and their clients, demanding that they cease infringing my copyright and take down all infringing uses of my photographs.

6. On or about June 1, 2010, I received a second retainer letter from Ms. Hoffman, a true and correct copy of which is attached hereto as Exhibit B.

7. Ms. Hoffman served as my lead counsel of record in this action until I terminated her engagement as counsel on January 24, 2013, effective immediately.

8. I discharged Ms. Hoffman "without cause," as I understand that phrase to be used in the law.

9. I acknowledge that Ms. Hoffman is entitled to be compensated for work she did that contributed to my ultimate judgment against AFP and Getty Images. I understand, however, that Ms. Hoffman's recent actions prevented me from seeking reimbursement for her fees from AFP and Getty Images, and I respectfully request that the Court take this into account when fixing the amount of Ms. Hoffman's charging lien, if any.

Dated: New York, New York  
October 31, 2014



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Daniel Morel